

**IN THE
UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO**

In Re:	:	CHAPTER 13
	:	Case No. 12-16962
JAN JACKSON	:	Judge JESSICA E. PRICE SMITH
LYNN JACKSON	:	
Debtor(s)	:	<u>MOTION TO DISMISS UNDER</u>
	:	<u>SECTION 1307(b)</u>
	:	

The Debtor(s) by his attorney represents as follows:

1. That the Debtors commenced the within Chapter 13 on September 21, 2012 however, the debtors are now unable to comply with the Chapter 13.

2. That this Chapter 13 case has not been converted to Chapter 13 from another Chapter of Title 11.

3. That under 11 U.S.C. 1307(b) the Debtors are entitled to have their Chapter 13 case dismissed at any time, and the Debtor(s), by this Motion, request that the case be dismissed.

4. That pursuant to LBR 9013-1(a) a copy of this Motion has on this date been sent by regular mail and/or electronic mail to the Chapter 13 Trustee serving in this case and to all creditors listed in Debtors' Voluntary Petition as shown in the attached list.

WHEREFORE, under Bankruptcy Rules 1017(d) and 9013, the Debtors move this Honorable Court to enter an Order dismissing this case and closing the estate as provided by law.

/S/ROBERT J. BERK

Robert J. Berk - 0001031

Attorney for Debtor(s)

75 Public Square, Suite 1425

Cleveland, Ohio 44113

(216) 241-3880

CERTIFICATE OF SERVICE

I certify that on the 11th day of February, 2014 a true and correct copy of Debtor(s) Motion to Dismiss was served:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

Craig Shopneck, Chapter 13 Trustee at Ch13shopneck@ch13cleve.com

LeAnn Covey on behalf of the Bank of New York at: lcovey@johnclunk.com

Alane A. Becket on behalf of eCast Settlement at: notices@becket-lee.com

and by regular U.S. Mail, postage prepaid on all creditors listed in Debtor's Voluntary Petition, as shown in the attached list.

/S/ROBERT J. BERK

Robert J. Berk

Attorney for Debtor(s)

Admirals Bank
200 Clarendon
Boston, MA 02116

ARS
PO Box 469046
Escondido, CA 92046

Ashro
3650 Milwaukee St.
Madison, WI 53714

Beneficial
PO Box 499
Hanover, MD 21076

Citifiancial
PO Box 6254
Carol Stream, IL 60197

Ford Motor Credit
P.O. Box 6508
Mesa, AZ 85216

Ford Motor Credit
P.O. Box 6508
Mesa, AZ 85216

Ford Motor Credit
P.O. Box 6508
Mesa, AZ 85216

Ford Motor Credit
P.O. Box 6508
Mesa, AZ 85216

HFC
PO Box 4153-K
Carol Stream, IL 60197

Macy's
PO Box 689195

Des Moines, IA 50368

Midnight Velvet
1112 7th Avenue
Monroe, WI 53566

Montgomery Ward
3650 Milwaukee St.
Madison, WI 53714

Ocwen
PO Box 6440
Carol Stream, IL 60197

Portfolio Recovery
c/o Javitch, Block
1100 Superior Ave.
19th Floor
Cleveland, OH 44114

Sam's Club
P.O. Box 105994
Atlanta, GA 30348

Sears/Citicard
8725 W. Sahara
The Lakes, NV 89163

Seventh Avenue
1112 7th Avenue
Monroe, WI 53566

Wells Fargo
PO Box 98784
Las Vegas, NV 89193